

4837. (F. D. C. No. 37250. S. Nos. 66-968/9 L, 66-971 L.)

INFORMATION FILED: On or about 3-22-55, E. Dist. Pa., against Adams Drug Store, a partnership, Reading, Pa., and Oliver F. Adams (a partner).

CHARGE: Between 6-9-53 and 6-18-53, *capsules containing ergot* were dispensed 3 times without a prescription.

PLEA: Guilty.

DISPOSITION: 9-9-55. Partnership fined \$150 and individual \$300.

4838. (F. D. C. No. 37212. S. Nos. 84-823 L, 84-827/8 L, 84-917 L.)

INFORMATION FILED: 2-25-55, E. Dist. Pa., against Harry G. Bobman (a pharmacist for Shanker's Pharmacy), Philadelphia, Pa.

CHARGE: Between 5-18-54 and 6-10-54, *pills containing ergotin, aloe, and oil tansy*, and *thyroid tablets* were each dispensed twice without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 6-29-55. \$100 fine.

4839. (F. D. C. No. 35161. S. Nos. 9-693 L, 10-072 L, 10-074 L, 10-076/7 L, 54-176 L, 54-182/3 L, 54-190 L, 54-194/5 L.)

INFORMATION FILED: 9-9-53, N. Dist. Ind., against Robert M. Stitzer, t/a Morningside Pharmacy, South Bend, Ind., and Constance L. Froning, Henry A. Meers, and James O. Worster (pharmacists).

CHARGE: Between 9-9-52 and 12-3-52, *pentobarbital sodium capsules* were dispensed seven times (counts 1 to 7, incl.) and *dextro-amphetamine sulfate tablets* were dispensed four times (counts 8 to 11, incl.) upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere—by Stitzer to each of 11 counts of information, by Froning to counts 1, 2, 4, 5, and 8, by Meers to counts 7 and 11, and by Worster to counts 9 and 10.

DISPOSITION: 4-28-54. Stitzer—\$300 fine, plus costs; each of remaining defendants—\$100 fine.

4840. (F. D. C. No. 37843. S. Nos. 15-090/1 M, 15-282 M.)

INFORMATION FILED: 4-8-55, N. Dist. Calif., against Walter Powell, Jr., t/a Powell Jr. Pharmacy, San Francisco, Calif.

CHARGE: On 1-28-55, *pentobarbital sodium capsules* and *amphetamine sulfate tablets* were each dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 5-19-55. Fine of \$750 and probation for 2 years.

INDEX TO NOTICES OF JUDGMENT D. D. N. J. NOS. 4801 TO 4840

PRODUCTS

	N. J. No.		N. J. No.
A-P-Cillin tablets-----	4806	Androgenic substances-----	4802,
Amphetamine sulfate tablets----	4803,		4807, 4820, 4822-4828
	4840	Apiol capsules----- ²	4836
dextro-, sulfate capsules_	4818, 4821	Banthine tablets-----	4823
tablets----- ¹	4813-	Benzedrine Sulfate tablets- ²	4810, 4811
	4817, 4819, 4820, 4839	Chloramphenicol capsules-----	4805

¹ (4813, 4829, 4830, 4834) Prosecution contested.

² (4810, 4836) Prosecution contested. Contains opinion of the court.

U. S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

4841-4880

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve drugs which are required at time of interstate shipment to bear a label containing the statement "Caution: Federal law prohibits dispensing without prescription," and which were dispensed after such shipment without a prescription or by refilling a prescription without authorization. This dispensing was contrary to Section 503 (b) (1), and thereby resulted in the dispensed drugs being misbranded while held for sale.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., *December 18, 1956.*

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